

REMARKS

The Office Action mailed June 6, 2006 has been reviewed and carefully considered. Applicant acknowledges with appreciation the Examiner's withdrawal of the prior objections and rejections. In view of the new art rejections, reconsideration of the above-identified application, as herein amended and in view of the following remarks, is respectfully requested.

Claims 1-7, 10-18, 22-31 and 34 are pending in this application. Claims 8-9, 19-21, 32-33 and 35 have been withdrawn. Claims 1, 10, 14, 22 and 26-28 have been amended. No new matter has been added by the amendments.

§103 REJECTIONS

Claims 1-7, 14-18, 22-24, 26-31 and 34 were rejected under 35 U.S.C. §103(a) as being unpatentable over Peapod.com (hereinafter "Peapod") in view of U.S. Patent No. 6,321,092 to Fitch et al. (hereinafter Fitch). Further, claims 10-13 and 25 were rejected under 35 U.S.C. §103(a) as being unpatentable over Peapod in view of Fitch and in further view of Behnke (U.S. 4,360,875). Applicant respectfully disagrees with the rejections.

As previously discussed and affirmed by the Examiner, Peapod fails to disclose or suggest at least cross-referencing a postal address of each client from a plurality of clients to precise **terrestrial coordinates corresponding to said postal address**, as claimed in claims 1, 10, 14, 22 and 26-28. Instead, with regards to any alleged 'geographic location' teaching, Peapod merely refers to pre-specified delivery areas it offers which a customer can assess via entry of a zip code.

The Examiner alleges that Fitch teaches ‘precise terrestrial coordinates corresponding to a postal address.’ The Applicant respectfully disagrees. Even if Fitch could be properly combined with Peapod, in Fitch a ‘Geographic Information System’ (GIS) based module is generally discussed, and this GIS module is used for correlating geographic coordinate information to mapping information, e.g., street addresses. This is wholly **opposite** to the system and process presently claimed, in which a previously provided postal address of a client (e.g., stored in a first database) is correlated to precise terrestrial coordinates. Indeed, in Fitch there is no mention whatsoever of stored postal addresses of clients, much less a first or second database (as affirmed by the Examiner on page 12, paragraph 5 of the Office Action), and thus such process is impossible to perform in Fitch.

Turning to Behnke, while Behnke arguably mentions stored addresses, it fails to disclose or suggest correlating precise terrestrial coordinates to each address, as previously discussed and affirmed by the Examiner. Behnke simply refers to generalized **rectangular grids** which may contain numerous addresses and are assigned a neighborhood code.

In the interest of further distinguishing the present claims from the cited references, Applicant has amended independent claims 1, 10, 14, 22 and 26-28 to at least include, *inter alia*: “...identifying a delivery vehicle (module) nearest to the terrestrial coordinates of the client; and providing said individualized service to said client by said vehicle (module) nearest to the client ...” This amendment is supported by the specification, e.g., on page 13, first paragraph, and FIG. 3.

There is no mention in either Peapod, Fitch and/or Behnke of at least identifying a delivery module nearest to the terrestrial coordinates of a client and providing individualized service to the client by said module nearest to the client, essentially as claimed in claims 1,

10, 14, 22 and 26-28. With regards to Behnke, Applicant points out that Behnke's service involves transporting riders from an origin to a destination ('door-to-door') and as such generally mentions matching ride requests with ride offers. However, firstly, Behnke does not involve a delivery service, and moreover, the matching of ride requests with ride offers in Behnke is done by matching riders whose indicated origin and destination **neighborhood codes** are similar to the origin and destination codes of a particular driver. *See* Behnke, Col. 9, lines 39-46. Note that delivery to a **postal address** of a client by a vehicle determined to be closest to the client's postal address, as per an aspect of the present invention, is not to be confused with picking up and transporting a rider from point A to point B by a driver whose origin and destination **neighborhood codes** are matched to corresponding **neighborhood codes** of a rider, as in Behnke.

Accordingly, claims 1, 10, 14, 22 and 26-28 are asserted to be patentable and nonobvious over Peapod in view of either Fitch and/or Behnke for at least the reasons stated above. Claims 2-7, 11-13, 15-18, 23-25 and 29-31, 34 depend from claims 1, 10, 14, 22 and 28 respectively. The dependent claims include the limitations of their respective independent claims and are therefore believed to be patentable and nonobvious for at least the reasons stated for claims 1, 10, 14, 22 and 28.

Withdrawal of all the rejections and early and favorable reconsideration of the case is respectfully requested.

CONCLUSION

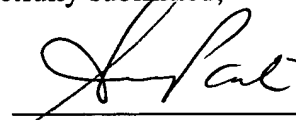
In view of the foregoing, Applicant respectfully requests that the rejections of the claims set forth in the Office Action of June 6, 2006 be withdrawn, that pending Claims 1-7, 10-18, 22-31 and 34 be allowed, and that the case proceed to early issuance of Letters Patent in due course.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required at this time in connection with the application, they may be charged to applicant's representatives Deposit Account No. 50-0510.

Respectfully submitted,

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